

### Remarks

Claims 2 and 7 are amended. Claims 2 to 9 are pending in this application of which only claim 2 is in independent form.

On page 2, paragraph 1, the specification was objected to because page 12, line 1, required correction. The disclosure is amended herein to change the phrase as suggested by the Examiner so that there should now be proper antecedent basis for the term "intake line" in the claims.

Claims 2 to 9 were rejected under 35 USC 112, second paragraph, as being indefinite because the phrase "directional valve and" in claim 2, on the 21st line from the bottom of the claim, was indefinite. The Examiner's understanding of the switching state of the directional valve is indeed correct and claim 2 is amended herein to supplement the above-quoted phrase to recite that the first controllable valve is in the second switching state thereof when the first pressure line is blocked.

The claims should now be definite as required by the statute.

Claims 2 to 6 and 9 were rejected under 35 USC 103(a) as being unpatentable over Folchert et al (EP-1243447) in view of Merick et al. Also, claims 7 and 8 were rejected under 35 USC 103(a) as being unpatentable over Folchert et al in view of Merick et al and in further view of Hegel et al.

Folchert et al has a publication date which is later in time than the July 11, 2002 date on which German patent application 102 31 251.6 was filed and on which priority is

claimed herein. Accordingly, applicant respectfully requests that Folchert et al be withdrawn in accordance with 37 CFR 1.55. A verified translation of German patent application 102 31 251.6 is submitted under a separate transmittal letter.

Claim 9 was rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 18 of United States Patent 6,726,189 to Folchert et al in view of Merick et al.

A terminal disclaimer in compliance with 37 CFR 1.321 is submitted herewith under a separate transmittal letter to overcome this rejection thereby removing United States Patent 6,726,189 as a reference.

The application should now be in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Walter Ottesen', is written in a cursive style.

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Date: November 4, 2005